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**Attorneys for Plaintiffs
WI-LAN USA, INC. and WI-LAN, INC.**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

WI-LAN USA, INC. and WI-LAN, INC.

Case No. 3:13-cv-798-DMS
(BLM)

Plaintiffs,

**JOINT MOTION TO STAY
PRETRIAL SCHEDULE**

V.
APPLE INC.

Department: 13A
Hon. Dana M. Sabraw
Hon. Barbara L. Major

Defendant.

Complaint Filed: December 6, 2012

MCKOOL SMITH, P.C.
NEW YORK, NY

1 Plaintiffs Wi-LAN USA, Inc. and Wi-LAN Inc. (collectively, "Wi-LAN"), and
2 Defendant Apple Inc. ("Apple"), hereby jointly move the Court for a stay of
3 remaining pretrial deadlines in light of the Court's Order of September 30, 2014.
4 (ECF No. 278.)

5 On September 15, 2014, the Court adjusted the original deadlines stated in the
6 Amended Case Management Conference Order Regulating Discovery and Other
7 Pretrial Proceedings dated May 31, 2013 (ECF No. 73) by its Order Granting Joint
8 Motion to Modify the Pretrial Schedule (ECF No. 218). Pursuant to the Court's Order
9 Granting Joint Motion to Modify the Pretrial Schedule, the last day for Wi-LAN to
10 serve its portion of the Final Pretrial Conference Order was moved from
11 September 22, 2014 to October 3, 2014. Pursuant to the same order, the last day to
12 lodge final pretrial conference order, including written objections, if any, to Rule
13 26(a)(3) pretrial disclosures and a statement to be read to the jury, not in excess of one
14 page, of the nature of the case and claims and defenses was reset from
15 September 26, 2014 to October 10, 2014.

16 In view of the Court's September 30, 2014 Order Granting Defendant's Motion
17 for Summary Judgment of Noninfringement (ECF No. 278.), the parties have met and
18 conferred and believe a stay of these remaining pretrial deadlines is appropriate and
19 warranted.

McKOOL SMITH, P.C.
NEW YORK, NY

1 DATED: October 3, 2014

PATTERSON LAW GROUP, APC
MCKOOL SMITH, P.C.

2 By: /s/ Dirk D. Thomas

3 Dirk D. Thomas

4 Attorneys for Plaintiffs

5 WI-LAN USA, Inc. and WI-LAN INC.

6

7 DATED: October 3, 2014

MILBANK, TWEED, HADLEY &
8 McCLOY LLP

9 By: /s/ Mark C. Scarsi

10 Mark C. Scarsi

11 Attorney for Defendant Apple Inc.

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McKool Smith, P.C.
NEW YORK, NY

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2014, a true and correct copy of the foregoing document was filed through the Court's CM/ECF system, and was served through that system under FRCP 5(b)(2)(E) on all counsel who are deemed to have consented to electronic service.

By: /s/ *Dirk D. Thomas*

Attorney for Plaintiffs
WI-LAN USA, INC. and WI-LAN INC.

MCKOOL SMITH, P.C.
NEW YORK, NY